

REMARKS

The applicant and the undersigned thank the Examiner for the Interview which took place on September 2, 2005. This amendment makes the substance of the Interview of record and should place the application in condition for allowance.

Claims 1-55 remain in the application. Independent claims 1, 5, 7, 8, 11, 12, 18, 19, 22, 23, 29, 30, 31, 32, and 37 have been amended. As was discussed during the Interview, and at the suggestion of the Examiner, the independent claims have been amended to specify an indoor and/or outdoor physical environment to emphasize that the invention is related to designing communications networks or systems which operate in buildings, campuses, or outdoor terrains, etc., as discussed in the application, and to differentiate communications between chips and components on a circuit board. Furthermore, in response to the Examiner's previous office action and comments in the Interview, claim language has been provided to highlight certain relationships between different aspects of the present invention, in order to further distinguish the prior art.

In the office action, claims 1-4, 6, 9, 10, 12-15, 17, 20 and 21 were rejected as being anticipated under 35 U.S.C. 102(a) by the "EAC-50 Repeater System for In-Building Coverage" (EAC-50). However, based on a telephone call with the Examiner, and the text of the office action, this response addresses the office action as if each of claims 1-55 were rejected as being anticipated by or obvious over the EAC-50 reference. As is discussed in detail below, none of the claims are anticipated by or are obvious over the EAC 50 reference.

First, as can be seen from the front page the EAC-50 reference is an "Installation and Operation Manual" for a "Repeater System". The first page shows a repeater on the cover. It being recognized that a repeater is a component which can be used in a communication system, but it is not a communication system (which includes a number of components) or a software based system and method (as is the case in the present invention) which is used for designing,

optimizing, controlling, etc. a communication system. Contrary to the assertions in the office action Figure 1 of the EAC-50 reference does not show a computerized model of a building. All that is shown in Figure 1 is an artistic rendition of a building with various components inside a building where the repeater is used for assisting the portable telephone to communicate with the cell site. That is, the EAC reference does not show a computer program of any kind, much less one which shows a model of a physical environment, allows selection of components to be used in the communication system, represents the specific components on a display, and provides notification of a fault if a chosen communication system design will prevent proper installation or operation of the communication system in the environment, as is required in the claims. Reference by the Examiner to pages 13-15 of the EAC 50 references as showing selection from a “parts list” is simply in error. These pages simply show spec sheets for various components one could purchase and install; there is no computer which is selecting them and which would use predictions to determine performance within a specific site. Finally, the office actions’ reference to the “Action/Solution Required...” section (page 11) of the EAC 50 manual as showing results from improper connections is also in error. With reference to this section, it is clear that the manual is providing instructions for a person to take if the system is not working properly, e.g. “Remove all active portable handsets from the coverage area...If the LED stops flashing and remains off...Verify AC line voltage at the input to the BDA.”

Second, to further highlight distinctions between the claimed invention and the EAC 50 reference, independent claims 1, 5, 7, 8, 11, 12, 18, 19, 22, 23, 29, 30, 31, 32, and 37 have been amended to emphasize that when the computer program determines that the proper or desired installation or operation of a communications system designed with specific components for use in a specific site will have a fault, an indication of the fault will be provided. There are a myriad of faults which could be determined including poor performance in one or more areas of a building, choice of undesired components or unconnectable components for use in the system, exceeding cost limits, etc. As discussed in detail above, EAC 50 does

not make such determinations (because it is not a computer program), and merely provides a trouble shooting guide when problems occur with the EAC 50 router in a communications system.

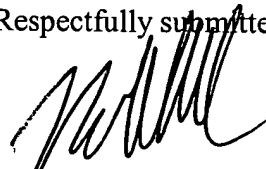
For clarification and to address the Examiner's comments, and as discussed at the Interview, the computer program contemplated by this invention could be one or more programs coordinated by the computer or operating system. What is important is that it provides the designer or operator with an indication, under computer control, that a certain component configuration will result in a fault in design parameters for a communication system at a specific physical location.

In view of the above, it is respectfully requested that the application be reconsidered, that claims 1-55 be allowed, and that the application be passed to issue.

Should the Examiner find the application to be other than in condition for allowance, the Examiner is requested to contact the undersigned at the local telephone number listed below to discuss any other changes deemed necessary in a telephonic or personal interview.

A provisional petition is hereby made for any extension of time necessary for the continued pendency during the life of this application. Please charge any fees for such provisional petition and any deficiencies in fees and credit any overpayment of fees to Attorney's Deposit Account No. 50-2041.

Respectfully submitted,



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